

EXHIBIT H

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
E*TRADE SAVINGS BANK and E*TRADE
MORTGAGE CORPORATION
:

Plaintiffs,
:

v.
:

NATIONAL SETTLEMENT AGENCY, INC.;
FAST TRACK TITLE AGENCY LLC,
STEVEN M. LEFF; RACHEL M. LEFF;
and RICHARD A. LEFF
:

Defendants.
:
-----X

ECF Case

07 Civ. 8065 (LTS/GWG)

**PROPOSED DEFAULT
JUDGMENT
AGAINST DEFENDANTS
NATIONAL SETTLEMENT
AGENCY, INC. AND
STEVEN M. LEFF**

Upon Plaintiffs E*TRADE Savings Bank's and E*TRADE Mortgage Corporation's Motion for Judgment by Default against defendants National Settlement Agency, Inc. and Steven M. Leff, dated May 12, 2008; the Declaration of Wallace B. Neel, dated May 12, 2008, and all exhibits annexed thereto, it appears that defendants National Settlement Agency, Inc. ("NSA") and Steven M. Leff have each failed to timely plead, to respond to the amended complaint, or otherwise to defend against the operative complaint after being properly served with the amended complaint and supplemental summons. Accordingly, Certificates of Default against defendants NSA and Steven M. Leff, respectively, under Federal Rule of Civil Procedure 55(a) and Local Civil Rule 55.1 were signed by the Clerk of this Court on May 8, 2008. Therefore, it is hereby

ORDERED that judgment be entered under Federal Rules of Civil Procedure 54(b) and 55(b)(2) and Local Civil Rule 55.2(b) against Defendants National Settlement Agency, Inc. and Steven M. Leff, jointly and severally, on All Counts as set forth in the operative complaint and in

favor of plaintiffs E*TRADE Savings Bank and E*TRADE Mortgage Corporation, jointly and severally, in the amount of \$3,007,914,65; and it is further

ORDERED that plaintiffs E*TRADE Savings Bank and E*TRADE Mortgage Corporation, jointly and severally, shall recover from Defendants National Settlement Agency, Inc. and Steven M. Leff, jointly and severally, the sum of \$ _____ as prejudgment interest.

Dated: New York, New York
_____, 2008

LAURA TAYLOR SWAIN
United States District Judge